

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65282 of 2023

Arising Out of PS. Case No.-494 Year-2022 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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GANESH RAM S/O JAINARAIAN RAM R/O VILLAGE- SONVERSA,
PS. KANTI, DIST. MUZAFFARPUR

... .. Petitioner/s

Versus

1. The State of Bihar
2. PUSHPA KUMARI W/O GANESH RAM, D/O AKINDAR RAM R/O VILLAGE- SONVERSA, P.O.- BISANDARPUR, PS. KANTI, DIST. MUZAFFARPUR, AT PRESENT RESIDING AT VILLAGE- BHAGWANPUR, P.O.- GHEGHWA, PS. MADHUBAN, DIST. EAST CHAMPARAN

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 31-01-2025 Heard Mr. Manoj Kumar, learned counsel for the
petitioner and the State, Mr. Jitendra Kumar Singh.

2. The petitioner is apprehending his arrest in connection with Complaint Case No. 494/2022 for the offence under Sections 498(A), 323 and 354(B) of the I.P.C. by the informant/complainant, Pushpa Kumari.

3. As per the prosecution story, the informant alleged that she got married to this petitioner in the year 2012 but was always tortured for dowry and finally for want of Swift Desire, she was assaulted and later, her obscene photos were made viral on the Facebook. This led to the case.



4. The case has traveled a long and this Court also got an opportunity on 05.03.2024 to interact with the lady. She narrated her own case and the reason why she has chosen to remain in her parents' house (*mayka*) instead of going with the petitioner.

5. This petitioner undertook to pay Rs. 2,000/- to the lady and Rs. 1,000/- to the son till a decision comes in the maintenance case and as per the learned counsel for the petitioner, the same is being paid regularly till January, 2025

6. Since the informant has chosen not to appear, the petitioner was earlier granted interim relief and hoping that ultimately, the petitioner and the informant/complainant will unite, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar Motihari, East Champaran, in connection with Complaint Case No. 494/2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

Adnan/-

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